

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INTERSTATE POWER AND LIGHT COMPANY	DOCKET NOS. GCU-02-2 WRU-02-18-150
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**ORDER ACCEPTING FILING, REQUIRING ADDITIONAL
INFORMATION, SETTING PROCEDURAL SCHEDULE,
AND GRANTING REQUEST FOR WAIVERS**

(Issued July 12, 2002)

On June 10, 2002, Interstate Power and Light Company (IPL) filed with the Utilities Board (Board) an application pursuant to Iowa Code chapter 476A for a generating facility certificate to construct and operate a 568 MW combined-cycle, natural gas fueled, combustion turbine. The proposed facility is called the Power Iowa Energy Center and will be located in Cerro Gordo County near Mason City, Iowa. IPL held an informational meeting on the application on June 5, 2002.

IPL filed on the same date an application for ratemaking principles, identified as Docket No. RPU-02-6, with respect to the proposed facility. As part of the filing, IPL filed a motion to consolidate the generation siting and ratemaking principles proceedings. Iowa Code § 476.53(3)"d" allows these proceedings to be combined. However, IPL withdrew its request for consolidation on July 2, 2002. The Board will set the procedural schedule in Docket No. RPU-02-6 in a subsequent order.

IPL filed with its generation siting application a request for two waivers. First, IPL requested a waiver of 199 IAC 24.6(1)"b," which requires that the Board's evidentiary hearing on the siting application be commenced no earlier than 90 days

from the date IPL filed its application. Second, IPL requested a waiver of 199 IAC 24.7(1), which provides that the informational meeting be held not less than 30 days prior to the siting application. No objections to the waiver requests were filed.

The Board will grant IPL's request for waivers. Because no eminent domain is being sought in this proceeding, the timing of the informational meeting is not as important. The Board will also waive the 90-day period to the extent provided for in the procedural schedule to accommodate IPL's proposed construction schedule. The Board notes that subsequent to the hearing, IPL may also request permission to do advance site preparation pursuant to Iowa Code § 476A.9.

In its waiver request, IPL asked that it be granted "permanent" waivers with respect to the timing of the informational meeting and 90-day period. The waivers granted apply only to this proceeding, not to future siting applications that may be filed by IPL. If waivers of these or other rules are sought in future proceedings, another request for waiver must be filed.

The Board has reviewed IPL's application and finds that it is in substantial compliance with the Board's filing requirements. While the Board finds there is substantial compliance with the Board's rules, the Board will require IPL to file the results of its generator interconnection load flow and facilities studies performed by the Midwest Independent System Operator, which include both regional and local area impacts within 15 days from the date of this order or as soon as the information becomes available. These studies are referred to in the filing and are important in determining the effects of the proposed facility on the existing transmission grid.

IT IS THEREFORE ORDERED:

1. The application for a generating certificate filed by Interstate Power and Light Company is accepted pursuant to 199 IAC 24.5.

2. The following procedural schedule is established for this proceeding:

a. Consumer Advocate and any intervenors shall file prepared direct testimony, with underlying workpapers and exhibits, on or before August 6, 2002. Petitions to intervene shall also be filed by that date, unless good cause is shown.

b. IPL shall file rebuttal testimony, with underlying workpapers and exhibits, on or before August 13, 2002.

c. The parties shall submit a joint statement of issues on or before August 13, 2002.

d. A hearing in this matter shall commence at 10 a.m. on August 26, 2002, for the purpose of receiving testimony and the cross-examination of all testimony. The hearing shall be held at North Iowa Community College, Muse-Norris Conference Center, 500 College Drive, Mason City, Iowa. The parties shall appear one-half hour prior to the time of the hearing for the purpose of marking exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

3. The Executive Secretary of the Utilities Board shall cause written notice of the acceptance of the application and procedural schedule to be served upon the

Iowa Department of Natural Resources (IDNR); the IDNR Division of Parks, Recreation, and Preserves; the IDNR Environmental Protection Division; the IDNR Geological Survey; the Office of Historical Preservation; the Office of State Archaeologist; the Community Action Agencies Division of the Department of Human Rights; the Iowa Department of Transportation; the U.S. Army Corps of Engineers; the U.S. Fish & Wildlife Service; the Federal Aviation Office; the Cerro Gordo County Board of Adjustment; the Cerro Gordo County Board of Supervisors; the Clear Lake Sanitary District; and all owners and lessees of record of real property located within 1,000 linear feet of the proposed site as required by Iowa Code § 476A.4(2)"c," as listed in IPL's application.

4. In accordance with 199 IAC 24.6(1)"c," the Executive Secretary of the Utilities Board shall cause a notice of the procedural schedule attached as Appendix A to be published in a newspaper of general circulation in Cerro Gordo once each week for two consecutive weeks, with the second publication being no later than 30 days after the date the order is issued.

5. IPL shall file the additional information identified in the order within 15 days of the date of this order or as soon as the information is available.

6. The request for waivers filed by IPL is granted to the extent discussed in this order.

7. In the absence of objection, all underlying workpapers shall become a part of the evidentiary record of these proceedings at the time the related testimony and exhibits are entered into the record.

8. In the absence of objection, all data requests and responses referred to in oral testimony or on cross-examination which has not been previously filed shall become a part of the evidentiary record of these proceedings. The party making reference to the data request shall file an original and six copies of the data request and response with the Board at the earliest possible time.

9. In the absence of objection, when the Board has called for further evidence on any issue and the evidence is filed after the close of the hearing, the evidentiary record will be reopened and the evidence will become part of the record five days after the evidence is filed with the Board. All evidence filed pursuant to this paragraph shall be filed no later than seven days after the close of the hearing in this proceeding.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 12th day of July, 2002.

OFFICIAL NOTICE
BEFORE THE IOWA UTILITIES BOARD
DOCKET NO. GCU-02-2

TO THE CITIZENS OF CERRO GORDO COUNTY:

In accordance with 199 IAC 24.6(1)"c", notice is hereby given that an application for an electric generating facility certificate has been filed by Interstate Power and Light Company. On July 12, 2002, the Iowa Utilities Board (Board) accepted the application in accordance with 199 IAC 24.5(3).

By order dated July 12, 2002, the Board set August 26, 2002, at 10 a.m. at North Iowa Community College, Muse-Norris Conference Center, 500 College Drive, Mason City, Iowa, as the time and place for commencement of the hearing in this matter. Persons who have been accorded the status of intervenors have the right to appear at the public hearing. Intervenors will be given the opportunity to cross examine the witnesses of any other party, to present witnesses on their own behalf, and to rebut, refute, or reply to all evidence in opposition to the intervenors' stated position. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

The Board will conduct these proceedings to determine if the application for a generating certificate meets the applicable decisional criteria of Iowa Code § 4761.6. The proposed facility is located near Mason City, Iowa, approximately

2 and one-quarter miles east of Interstate 35, southeast of the intersection of Killdeer and 230th Street.

Requirements for intervention in the proceeding are contained in 199 IAC 24.6(3)"b" and 24.9(2).

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 12th day of July, 2002.